



Docket No.: 62807-042

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Makoto MORISHIMA, et al.

Application No.: 10/081,148

Filed: February 25, 2002

Customer Number: 20277

Confirmation Number: 8757

Group Art Unit: 1745

Allowed: November 17, 2004

Examiner: J. S. Maples

For: FUEL CELL, POLYELECTROLYTE AND ION-EXCHANGE RESIN USED FOR SAME

**COMMENTS RESPONSIVE TO STATEMENT OF
REASONS FOR ALLOWANCE
UNDER 37 C.F.R. § 104(e)**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The November 17, 2004 Notice of Allowability regarding the above-identified application included a Statement of Reasons for Allowance. Entry of that Statement into the record should not be construed as any agreement with or acquiescence by Applicants in the stated reasoning.

The statement paraphrases certain aspects of the independent claim. The paraphrasing may be confusing, particularly to the extent if any that it might lead a reader to interpret the claim differently than the actual wording of claim 1. The language of the claims is in the record, that language is concise and definite, and it is the claim language that defines the scope of patentable subject matter.

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The statement also alleges that the art does not disclose the "specific type compound forming the solid electrolyte in a fuel cell." The allowed claims, however, do not specifically mention a "compound."

The claims have been allowed without any art rejection in this case, and it is believed that the clarifying amendments made in the response were non-narrowing. It is respectfully submitted that under the present circumstances the allowed claims should be entitled to the broadest reasonable interpretation and broadest range of equivalents that are appropriate in light of the language of the claims and the supporting disclosure, without reference to the Statement of Reasons for Allowance.

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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**Please recognize our Customer No. 20277
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